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Debtors in Possession

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**SAN FERNANDO VALLEY DIVISION**



In re  
Irwin Naturals *et al.*,  
  
Debtors and Debtors  
in Possession.

Case No. 1:24-bk-11323-VK

Chapter 11

Jointly Administered With:

Case No. 1:24-bk-11324-VK  
Case No. 1:24-bk-11325-VK  
Case No. 1:24-bk-11326-VK

- ☐ Affects Irwin Naturals  
☐ Affects Irwin Naturals Inc.  
☐ Affects 5310 Holdings, LLC  
☐ Affects DAI US HoldCo Inc.  
☒ Affects All Debtors

**ORDER APPROVING STIPULATION  
AUTHORIZING CONTINUED USE OF  
CASH COLLATERAL AND CONTINUING  
FINAL CASH COLLATERAL HEARING**

**Current Hearing:**

Date: November 7, 2024  
Time: 2:30 p.m.

**Proposed Continued Hearing:**

Date: December 4, 2024  
Time: 1:30 p.m.  
Place: Courtroom 301  
United States Bankruptcy Court  
21041 Burbank Blvd  
Woodland Hills, CA 91367

1 The Court, having reviewed and considered the *Stipulation Authorizing Continued Use of*  
2 *Cash Collateral and Continuing Final Cash Collateral Hearing* [Doc. No. 206] entered into by and  
3 between Irwin Naturals, a Nevada corporation, and its related debtor entities (collectively, the  
4 “Debtors”), on the one hand, and secured creditor East West Bank, as Agent (“Agent”), on the other  
5 hand, and good cause appearing therefor,

6 **IT IS HEREBY ORDERED AS FOLLOWS:**

7 1. The Stipulation is approved in its entirety.

8 2. The Debtors are authorized to use cash collateral through and including December 6,  
9 2024 (the “Interim Period”) under the same terms and conditions as this Court’s *Third Interim Order*  
10 *Authorizing Debtors to Use Cash Collateral on an Interim Basis Pending a Final Hearing, Granting*  
11 *Replacement Liens and Setting a Final Hearing* [Doc. No. 115] (the “Interim Order”),<sup>1</sup> which  
12 interim order shall continue in effect except as expressly modified by the Stipulation and this Order.

13 3. The Debtors are authorized to deviate, tested on a weekly basis, (a) from the total  
14 cash disbursements (including Chapter 11 related payments) contained in the Budget and all  
15 previously filed and approved budgets (collectively, the “Budgets”) by no more than 10.0% above  
16 the forecasted amounts on a cumulative basis from the petition date, and (b) from the total receipts  
17 contained in the Budgets by no more than 5.0% below the forecasted amounts on a cumulative basis  
18 from the petition date (the foregoing permitted variances, collectively, the “Permitted Variances”).  
19 During the Interim Period only, the Debtors agree to maintain a minimum cash balance of \$1.75  
20 million (the “Minimum Cash Balance”). The Debtors shall not deviate from the Budget beyond the  
21 Permitted Variances and the terms of this Order (and the Interim Order) or fall below the Minimum  
22 Cash Balance absent further order of this Court or as otherwise agreed to by the Agent in its sole  
23 discretion.

24 4. A final hearing on the Motion shall be held **on December 4, 2024 at 1:30 p.m.** in  
25 Courtroom 301 of the above-entitled Court and, in connection with such hearing, the Debtors shall  
26 file and serve any new additional briefs and supporting declarations **no later than November 13,**  
27 **2024** on the Committee, all secured creditors and the United States Trustee. Any response to the  
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<sup>1</sup> Any capitalized term not defined in this Stipulation has the same meaning as set forth in the Interim Order.

Debtors' additional briefs and/or supporting declarations must be filed and serve on the Debtors and the United States Trustee **no later than November 20, 2024.** Any reply to any responses must be filed **no later than November 27, 2024.**


5. No later than **November 8, 2024**, the Debtors shall provide notice of the final hearing on the Motion *and the deadline to file and serve any response* upon the Committee members, counsel for the Committee, all secured creditors, the United States Trustee and those parties who have requested special notice.

6. The Debtors shall file and serve a proposed final cash collateral order on **November 13, 2024**, which shall provide notice of provisions the Agent proposed in its draft order circulated on October 21, 2024, unless otherwise agreed between Agent and the Debtors. If the Agent and the Debtors have not agreed upon a form of order by November 13, 2024, then the Debtors shall also serve the Debtors' proposed form of final order.

IT IS SO ORDERED.

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Date: November 6, 2024

  
Victoria S. Kaufman  
United States Bankruptcy Judge